

**ORIGINAL**

**\*FILED\***

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

2014 DEC 31 PM 5:05

MARVIN LOVELL

CLERK  
U.S. DISTRICT COURT  
E.D.N.Y.  
AFTER HOURS DROP BOX

**COMPLAINT**

NAME OF PLAINTIFF(S)

**CV 14 - 7592**

CONSOLIDATED EPISON  
OF NEW YORK, INC

ADAM, CHJ.  
SCANLON, M.J.

NAME OF DEFENDANT(S)

This action is brought for discrimination in employment pursuant to (check only those that apply):

☒

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

**NOTE:** In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

☐

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102-166).

**NOTE:** In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.

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Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117 (amended by the ADA Amendments Act of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 102-166).

**NOTE:** In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

Jurisdiction is specifically conferred upon this United States District Court by the  
aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be  
appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of  
1991, Pub. L. No. 102-166, and any related claims under New York law.

1. Plaintiff resides at:

644 Westminister Rd, Baldwin  
Street Address  
Nassau NY 11510 516-868-0672  
County State Zip Code Telephone Number

2. Defendant(s) resides at, or its business is located at:

4 Irving Place  
Street Address  
NY NY ~~10003~~ 10003  
County City State Zip Code

3. The address at which I sought employment or was employed by the defendant(s) is:

4 Irving Pl  
Street Address  
NY NY NY 10003  
County City State Zip Code

4. The discriminatory conduct of which I complain in this action includes  
(check only those that apply).

☐ Failure to hire.  
☐ Termination of my employment.  
☐ Failure to promote.  
☐ Failure to accommodate my disability.  
☒ Unequal terms and conditions of my employment.  
☒ Retaliation  
☐ Other acts (specify): \_\_\_\_\_

**NOTE:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

5. It is my best recollection that the alleged discriminatory acts occurred on:

Date(s) 3/16/12

6. I believe that the defendant(s) (check one)

☒ is still committing these acts against me.  
☐ is not still committing these acts against me.

7. Defendant(s) discriminated against me based on my:  
(check only those that apply and state the basis for discrimination, for example,  
what is your religion, if religious discrimination is alleged)

☒ race \_\_\_\_\_ ☐ color \_\_\_\_\_  
☐ gender/sex \_\_\_\_\_ ☒ religion Christian  
☐ national origin \_\_\_\_\_  
☐ disability \_\_\_\_\_  
☐ age. If age is checked, answer the following:

I was born in \_\_\_\_\_. At the time(s) defendant(s) discriminated against me,  
Year

I was ☐ more ☐ less than 40 years old. (check one).

**NOTE:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

8. The facts of my case are as follows:

Paul Olmsted, Section Manager of Meter Operations  
and Consolidated Edison of New York, Inc  
discriminated against me on 3/16/2012 and  
prior (since promotion to Supervisor), retaliated  
against me, and it was due to religion,  
military status, and additionally my  
race.  
Attached will be a letter as well.

(Attach additional sheets as necessary)

**NOTE:** As additional support for your claim, you may attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights.

9. It is my best recollection that I filed a charge with the New York State Division of Human Rights or the New York City Commission on Human Rights regarding defendant's alleged discriminatory conduct on: \_\_\_\_\_  
Date

10. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: \_\_\_\_\_  
Date

**Only litigants alleging age discrimination must answer Question #11.**

11. Since filing my charge of age discrimination with the Equal Employment Opportunity

Commission regarding defendant's alleged discriminatory conduct (*check one*):

☐ 60 days or more have elapsed.

☐ less than 60 days have elapsed.

12. The Equal Employment Opportunity Commission (*check one*):

☐ has not issued a Right to Sue letter.

☒ has issued a Right to Sue letter, which I  
received on 9/19/12  
Date

**NOTE:** Attach a copy of the Right to Sue Letter from the Equal Employment Opportunity Commission to this complaint.

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, pre-judgment interest, costs, and attorney's fees.

Martin F. Loebl  
PLAINTIFF'S SIGNATURE

Dated: 12/31/14

644 Westminister Rd  
Address  
Baldwin, NY 11510  
516-868-0672  
Phone Number

Marvin Lovell  
644 Westminster Road  
Baldwin, NY 11510  
516-868-0672  
Lovell.marvin@ymail.com

December 31, 2014

United States District Court  
Cadman Plaza  
Brooklyn, NY

Dear United States District Court:

I am submitting my complaint regarding discrimination in employment pursuant to Title VII of the Civil Rights Act of 1964. This complaint was initially filed with the NYS State Human Rights Department and dual filed with the EEOC and the EEOC has adopted the findings of the state or local fair employment practices that investigated this charged, so I filed a case in the New York State Supreme Court (with the assistance of Vincent, Imbesi ESQ, and associates). And as a result, the case was dismissed, but I was able to appeal it to a higher court, and was given an extension to the October 2014 term. After consulting with the Pro Se dept within the US District Court they advised me that I may try to bring the case to the Federal Court instead of appealing it further. So here I am today, respectfully asking to bring this case to this court due to misrepresentation by the prior law firm.

Sincerely,

  
Marvin Lovell

Enclosure